

University of California, Hastings College of the Law UC Hastings Scholarship Repository

Initiatives

California Ballot Propositions and Initiatives

9-3-1914

One Day Of Rest In Seven

Follow this and additional works at: http://repository.uchastings.edu/ca_ballot_inits

Recommended Citation

One Day Of Rest In Seven California Initiative 1914-o-1 (1914).
http://repository.uchastings.edu/ca_ballot_inits/5

This Initiative is brought to you for free and open access by the California Ballot Propositions and Initiatives at UC Hastings Scholarship Repository. It has been accepted for inclusion in Initiatives by an authorized administrator of UC Hastings Scholarship Repository. For more information, please contact marcusc@uchastings.edu.

File: 1914-0-1

Wm. H. No 45.
Certificate Copy to
County of Bucks
Initiation Petition
One day of rest in
March.

E. H. H.

Filed in the office of the
SECRETARY OF STATE.

the 1st of March day of
September A. D. 1914.

Frank C. Jordan,

SECRETARY OF STATE

Wm. H. H. H.
Bucks County

Word Book Page

ONE DAY OF REST IN SEVEN. Initiative Act prohibiting, except in cases of urgent emergency, the working for wages, or requiring or employing any person to work, more than six days or forty-eight hours a week, the keeping open or operating certain places of business or selling property on Sunday; declares Sunday provisions of Act inapplicable to works of necessity, or to member of religious society which observes another day as day of worship and who on such day keeps his place of business closed and does not work for gain; declares violation of act misdemeanor and prescribes penalties.

C. J. N.

CERTIFICATE OF SECRETARY OF STATE

DEPARTMENT OF STATE,
SACRAMENTO, CALIFORNIA, July 28, 1914.

To the County Clerk of ALL Counties County, California.

I, FRANK C. JORDAN, Secretary of State, do hereby certify that heretofore, to wit, on the twenty-eighth day of July, 1914, there was presented to, received by, and filed in the office of the Secretary of State, an initiative petition, in due form, in accordance with the provisions of Section 1 of Article IV of the Constitution of the State of California, said petition being duly certified as in said Constitution provided.

That attached to said petition and to each section thereof there was a certificate of each of the County Clerks and of the Registrar of Voters, in whose respective counties said petition was circulated and who had respectively transmitted the same to the Secretary of State, properly dated, showing that he had examined such petition and the sections thereof and the signatures thereto and had determined from said examination and from the records of registration in his office the number of qualified electors who had signed the same, and showing the result of his said examination;

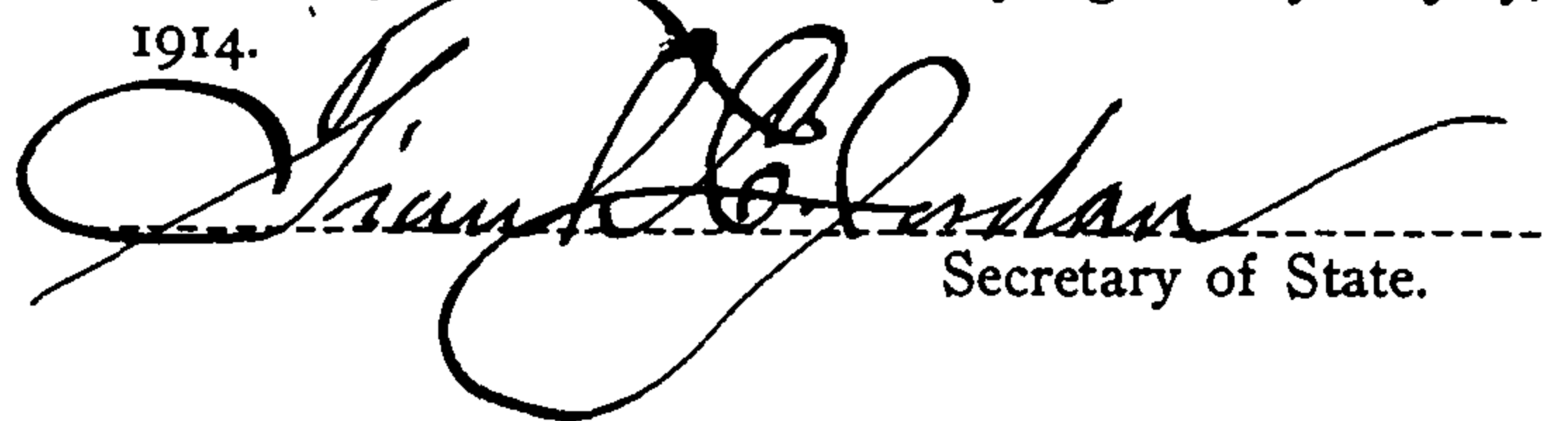
And I further certify that the number of qualified electors so certified as having signed the said petition or sections thereof is equal in number to at least eight per cent of all the votes cast for all candidates for Governor at the last preceding general election prior to the filing of said petition as aforesaid at which a Governor was elected.

That the said initiative petition, so filed as aforesaid, is entitled as follows, to wit:

AN ACT TO PROVIDE FOR ONE DAY IN SEVEN AS A DAY OF REST.

Attached hereto, marked Exhibit "I" and made a part hereof, is a full, true, and correct copy of the initiative petition and proposed law above referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal this twenty-eighth day of July,
1914.


Secretary of State.

[SEAL.]

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE ELECTORS

STATE OF CALIFORNIA,

} ss.

County of -----

TO THE HONORABLE SECRETARY OF STATE OF THE STATE OF CALIFORNIA:

We, the undersigned qualified electors of the State of California, residents of ----- County, present to the Secretary of State this petition, and request that the proposed law, hereinafter set forth, be submitted to the People of the State of California for their approval or rejection at the next ensuing general election, as provided by the Constitution of the State of California.

AN ACT TO PROVIDE FOR ONE DAY IN SEVEN AS A DAY OF REST.

The People of the State of California do enact as follows:

SECTION 1. DEFINITION AND CONSTRUCTION. In this Act, unless the context otherwise requires:

(a) The word "day" means twenty-four consecutive hours, the word "Sunday" means the period of time which begins at 12 o'clock p. m. on Saturday night and ends at 12 o'clock p. m. on the following night, and other words and terms used have the same meaning as defined in the Codes of California.

(b) A contract to perform a lawful act, though made on Sunday, is valid, but a contract rendered void by unlawful action on Sunday cannot be made valid by subsequent action.

SECTION 2. It is unlawful for any person, firm, association or corporation in this State, or for any officer or employee of the State of California, or of any political subdivision thereof, to violate any of the following provisions:

(1) To hire, employ or require any employee, apprentice, servant or other person or persons to work at or engage in any trade, business, profession or occupation for more than six days in any calendar week of seven days.

(2) To work at or to engage in any said trade, business, profession or occupation for wages for more than six days in any calendar week of seven days.

(3) To keep open on Sunday for the purpose of transacting any business or labor, any store, office, shop, building, or place of business where goods, wares, merchandise or property is sold or offered for sale; or to sell or offer for sale any goods, wares, merchandise or property on said day.

(4) To keep open or operate on Sunday for profit any mill, mine, factory, bake-house, barber shop, work-shop, studio, or any such or similar place of business or occupation which is managed by or employs either skilled or unskilled labor, or both; provided, however, that the above provisions of this section do not apply to unavoidable work in caring for live animals, or to cases of urgent emergency. Immediate danger to life, property, public safety, or public health only shall be considered cases of urgent emergency within the meaning of this act. And, provided, that the above sub-sections numbered (1) and (2) do not apply to any person whose total hours of labor during seven consecutive days do not exceed forty-eight hours; and, provided further, that the above sub-sections numbered (3) and (4) do not apply to works of daily necessity. It is hereby declared that said works of necessity within the meaning of this act include the following, but not so as to restrict the ordinary meaning of the expression "works of necessity":

(a) Work essential to the relief of sickness and suffering, including the sale of drugs, medicines, or surgical appliances by retail for strictly medicinal purposes;

(b) Furnishing lodging or meals at hotels, boarding houses, restaurants, lunch stands, cafes, and work incidental thereto;

(c) Ice cream parlors;

(d) Parks, bath houses, libraries, museums, or art galleries;

(e) Sports, theaters and amusements;

(f) Setting sponges in bakeries;

(g) The sale and delivery of daily newspapers and magazines, or the necessary work in the preparation of the Sunday or Monday morning edition of a daily newspaper;

(h) The sale and delivery of milk, or cream, and unavoidable work in making cheese or butter, and in any manufacturing plant or industry, or industrial process of such a continuous nature that it cannot be stopped without serious injury to said plant, industry or its product or property used in such process;

(i) Unavoidable work essential to the protection of mines, property or perishable products in imminent danger of destruction or serious injury, and to utilizing water power necessary to prevent serious injury or loss in hydraulic mining or other industries where the water supply is not continuous throughout the year;

(j) Any work which is necessary to the continuous supply of electric current, light, heat, air, water, gas or motive power; to operating vessels, vehicles, livery stables, garages, railroads or any other transportation lines in this State; to telegraph and telephone service; and to any such public utility which the public welfare requires should be kept in daily operation;

(k) Any work which the Railroad Commission of this State, having due regard to the object of this Act, to provide one day of rest in seven, deems necessary to permit in connection with the traffic or conduct of any railway or of any other public utility within the jurisdiction of said railroad commission, including the permitting of two days of rest to fall at any time within a period of fourteen consecutive days; provided, however, that said employee, apprentice, servant, or other person engaged in works of necessity as above provided for in sub-sections lettered (a) to (k) inclusive, shall not be hired, employed or required to work more than six days in seven, except as provided for in this act, but the day of rest may fall upon parts of two calendar days. And provided, further, that the above sub-sections numbered (3) and (4) do not apply to any person who is a member of a religious society which observes some other day than Sunday as its day of worship, and who actually keeps his place of business or occupation closed and does not work for gain or wages upon said day of worship.

SECTION 3. Any person, firm, association or corporation, or any officer or employee of the State of California, or of any political subdivision thereof, that violates any provision of this act, is guilty of a misdemeanor, and, upon conviction thereof, said offender shall be fined not less than ten dollars nor more than two hundred dollars, or be imprisoned in the county jail not to exceed thirty days, and, upon each subsequent conviction, both said fine and imprisonment shall be imposed; except, however, in case of corporations, the imprisonment, when imposed, shall be imposed upon all officers or agents thereof in this State committing such offense or causing the same to be committed.

SECTION 4. The Commissioner of the Bureau of Labor Statistics and his deputies, are hereby authorized, empowered and directed to enforce the provisions of this Act. And it is also hereby declared to be the special duty of each magistrate, district attorney and peace officer in this State to inform against and diligently prosecute any and all persons guilty of the violation of any provision of this act, either upon credible information as to any such violation, or upon reasonable cause to believe that there has been any such violation.

SECTION 5. Nothing in this act shall be construed to repeal or limit an act entitled "AN ACT LIMITING THE HOURS OF LABOR OF FEMALES," etc., approved March 22, 1911; or to limit the powers of municipal or county governments, not in conflict herewith.